

Appl. No. 09/758,726
Amdt. dated February 10, 2004
Reply to Office action of December 30, 2003

REMARKS/ARGUMENTS

Claims 11, 15-16 and 20 were rejected under 35 USC 102 (b) as being anticipated by Nowak et al. Reconsideration and withdrawal of this rejection is respectfully requested in view of the amendments to these claims.

Specifically, claims 11 and 16 have been amended to state that the second face of the second foam disc is directly adhered to the first face of the first disc. The foam layer of Nowak et al is not adhered to a first face of a foam intermediate ring. Instead, the foam layer 18 and the foam intermediate ring 25 are separated by the support ring 24 and the faceplate 12. Further, if as stated by the Examiner, the first foam disc 25 has a face secured to the convex central body portion of the disc 24, the other face is secured to the barrier ring 26 and not to the second foam ring 18 either directly or indirectly.

Because Nowak et al does not include each and every limitation set forth in independent claims 11 and 16, it is respectfully submitted that Nowak et al does not anticipate such claims. Therefore, claims 11 and 16, and all of the claims dependent thereon, are allowable.

Claims 12-14 and 17-19 were rejected under 35 USC 103 (a) as being unpatentable over Nowak et al as applied to claims 11, 15-16, and 20, and further in view of Leise, Jr. et al. It is respectfully submitted that claims 12-14 and 17-19 depend from independent claims 11 and 16, respectively, which are believed to be allowable over Nowak et al for at least the reasons stated above. Leise, Jr. et al does not make up for the aforementioned deficiencies of Nowak et al. Accordingly, the combination of Nowak et al and Leise, Jr. et al does not make obvious claims 12-14 and 17-19.

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In light of the foregoing, it is submitted that the application is now in condition for allowance and notice to that effect is hereby requested.

If there are any fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 33038.

Respectfully submitted,
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February 10, 2004